

BEFORE THE DIVISION OF MEDICAL QUALITY
BOARD OF MEDICAL QUALITY ASSURANCE
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA

In the Matter of the Petition for)	
Termination of Probation of:)	
)
ISRAEL GROSS)	NO. L-37476
2667 Caminito Prado)	
La Jolla, CA 92037)	
)
Petitioner.)	
)

DECISION

This matter came on regularly for hearing before a quorum of a panel of District XIV Medical Quality Review Committee at San Diego, California on June 12, 1986. The panel consisted of the following persons:

Richard M. Sullivan, M.D., Chairperson
Charles Umansky, M.D.
Michael Weisman, M.D.
Valeriano Jamora, M.D.
Peter Shea, D.D.S.
Patricia Jablonski, R.N.
Rosemary Barrett-Smith (public member)

Ronald M. Gruen, an Administrative Law Judge of the Office of Administrative Hearings presided at the hearing.

Thomas Lazar, Deputy Attorney General, represented the Attorney General. The petitioner Israel Gross, M.D., appeared in person and represented himself.

Evidence having been introduced, the matter was submitted and considered in executive session. The panel renders its findings of fact and decision as follows:

I

Petitioner's license was revoked by the Division Effective November 8, 1984; and said order of revocation was stayed and petitioner was placed on probation for a period of five (5) years on certain terms and conditions.

II

The basis for said disciplinary order was that in 1980 petitioner was grossly negligent and incompetent for failing to initiate prompt and proper evaluation and treatment of a patient after her lungs had been subjected to over-inflation after surgery. The patient ultimately expired.

III

On or about February 21, 1986, petitioner filed the herein application for termination of probation.

IV

Petitioner is an anesthesiologist with an excellent academic background. He has held teaching positions at both Harvard Medical School and the UCLA School of Medicine. He has complied with the terms and conditions of his probation including successful completion of an oral clinical examination in anesthesiology administered by the Division. He has completed all current continuing medical education requirements and has undergone a two month training program in 1985. He has kept abreast of current developments in the field of anesthesiology both in the literature and attendance at numerous programs offered by various anesthesiology groups and societies.

V

Petitioner desires termination of his probationary status because of difficulty in finding employment and obtaining malpractice insurance.

VI

Petitioner has demonstrated that he is a competent and well qualified anesthesiologist. He is very cautious and careful in his treatment of patients and it is highly unlikely that the events which led to the herein discipline will be repeated.

It would not be incompatible with the protection of the consuming public to grant petitioner's request for termination of probation.

* * * * *

Pursuant to the foregoing findings of fact, the Panel makes the following determination of issues:

Pursuant to 2307 of the Business and Professions Code, it is determined that good cause exists for granting petitioner's petition for termination of probation.

* * * * *

WHEREFORE, THE FOLLOWING ORDER is hereby made:

The petition for termination of probation of the stayed order of revocation of the license of petitioner Israel Gross, M.D. is hereby granted.

MEDICAL QUALITY REVIEW COMMITTEE
BOARD OF MEDICAL QUALITY ASSURANCE
DIVISION OF MEDICAL QUALITY

DATED: June 27, 1986

By Richard M. Sullivan, M.D.
RICHARD M. SULLIVAN, M.D.
Chairperson, Panel MQRC
District XIV, Division of
Medical Quality

This Decision shall become effective on July 2, 1986.

IT IS SO ORDERED July 2, 1986.

RMG:mh